

**STATEMENT UNDER 37 CFR § 3.73(b)**

Witness Systems, Inc. states that it is:

- the assignee of the entire right, title, and interest; or  
 an assignee of an undivided part interest

in the present patent application/patent by virtue of either:

- A.  An assignment of the patent application/patent identified below.
1. The assignment was recorded in the Patent and Trademark Office at:

Serial No.	Reel	Frame(s)
10/052,349	016611	0817

2. The assignment has not yet been recorded. A copy of the assignment is attached.

OR

- B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

- Additional documents in the chain of title are listed on a supplemental sheet.  
 Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: December 5, 2008



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Signature  
Name: Andrew T. Pham  
Title: Assistant General Counsel, Global  
Intellectual Property